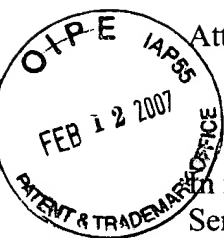Attorney's Docket No. 9201-3   PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Witte et al.   Confirmation No.: 5689
Serial No.: 09/677,993   Group Art Unit: 3623
Filed: October 3, 2000   Examiner: Susanna M. Meinecke Diaz
For: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR
         SELECTING A JOB POST SITE TO WHICH A JOB OPENING DESCRIPTION MAY
         BE POSTED BY RANKING JOB POST SITES BASED ON ONE OR MORE
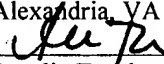   SELECTION CRITERION

                              Date: February 8, 2007

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APPELLANTS' SUPPLEMENTAL BRIEF ON APPEAL UNDER 37 C.F.R. §41.37

Sir:

This Appeal Brief is filed pursuant to the "Notice of Appeal to the Board of Patent
Appeals and Interferences" filed August 22, 2006 and received in the U. S. Patent and
Trademark Office August 24, 2006 and the "Notice of Non-Compliant Appeal Brief" mailed on
January 31, 2007.

Real Party In Interest

The real party in interest is assignee PeopleClick.com, Inc., Raleigh, California.

Related Appeals and Interferences

Appellants are aware of no appeals or interferences that would be affected by the present
appeal.

Status of Claims

Appellants appeal the rejection of Claims 1, 3 - 7, 10 – 14, 16 – 23, 25, 26, 28 – 32, 35 - 39, 41 – 48, 50 – 54, 57 - 61, and 63 - 67, which as of the filing date of this Brief remain under consideration. Claims 1, 3 - 7, 10 – 14, 16 – 23, 25, 26, 28 – 32, 35 - 39, 41 – 48, 50 – 54, 57 - 61, and 63 - 67 stand rejected; Claims 8, 9, 33, 34, 55, and 56 stand objected to; and Claims 2, 15, 24, 27, 40, 49, and 62 have been canceled. Appellants submit that the claims involved in the appeal are Claims 1, 3 – 14, 16 – 23, 25, 26, 28 – 39, 41 – 48, 50 – 61, and 63 - 67 as a reversal of the rejection of independent Claims 1, 10, 23, 26, 35, 48, and 57 is requested in the present appeal and a reversal of the rejection of /objection to dependent Claims 3 – 9, 11 – 14, 16 – 22, 25, 28 – 34, 36 – 39, 41 – 47, 50 – 56, 58 – 61, and 63 - 67 is also requested based on the reversal of the rejection of the independent claims. Accordingly, Claims 1, 3 – 14, 16 – 23, 25, 26, 28 – 39, 41 – 48, 50 – 61, and 63 – 67 as included in Appellants' response to the Office Action of April 21, 2006 are attached hereto as Appendix A.

Status of Amendments

No responses after final rejection have been filed in the present case.

Summary of Claimed Subject Matter

Independent Claim 1 is directed to a method of selecting a job post site comprising obtaining at least one job post site selection criterion (Specification, page 15, lines 21 – 29; FIG. 4, block 118) and automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (Specification, page 15, line 30 – page 16, line 3; FIG. 4, block 122). The job post sites are automatically ranked by accessing a fact table that contains data relevant to the at least one job post site selection criterion (Specification, page 16, lines 3 – 6; FIG. 6, block 124), and using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion (Specification, page 16, lines 6 – 8; FIG. 6, block 126). The job post site is selected from the plurality of job post sites based on the ranking of the plurality of job post sites (Specification, page 18, lines 5 – 7; FIG. 4, block 146).

Independent Claim 10 is directed to a method of posting a job opening description comprising obtaining at least one job post site selection criterion (Specification, page 15, lines 21 – 29; FIG. 4, block 118) and automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (Specification, page 15, line 30 – page 16, line 3; FIG. 4, block 122). The job post sites are automatically ranked by accessing a fact table that contains data relevant to the at least one job post site selection criterion (Specification, page 16, lines 3 – 6; FIG. 6, block 124), and using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion (Specification, page 16, lines 6 – 8; FIG. 6, block 126). The job post site is selected from the plurality of job post sites based on the ranking of the plurality of job post sites (Specification, page 18, lines 5 – 7; FIG. 4, block 146). The job opening description is posted to the selected at least one job post site. (Specification, page 18, lines 21 – 23; FIG. 4, block 158).

Independent Claim 23 is directed to a system for posting a job opening description, comprising a job opening description parser module (job opening description parser 82 of FIG. 3) that is configured to parse the job opening description to obtain at least one job post site selection criterion. (Specification, page 9, lines 17 – 25). A job post site expert system engine module (job post site expert system engine 86 of FIG. 3) is configured to rank a plurality of job post sites based on the at least one job post site selection criterion (Specification, page 11, line 5 – page 12, line 15) and comprises a fact table (fact tables 98, 102, and 104 of FIG. 3) that contains data relevant to the at least one job post site selection criterion (Specification, page 12 lines 16 – 29), and an inference engine (inference engines 94 and 96 of FIG. 3) that is configured to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion. (Specification, page 12, line 16 – page 13, line 2). A job post site selection module (job post site selection module 92 of FIG. 3) is configured to select at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites. (Specification, page 13, lines 12 – 21). A job post site posting module (job post site posting module 88 of FIG. 3) is configured to post the job opening description to the selected at least one job post site. (Specification, page 13, lines 3 – 11).

Independent Claim 26 is directed to a system for selecting a job post site, comprising means for obtaining at least one job post site selection criterion (job opening description parser 82 of FIG. 3; Specification, page 9, lines 17 – 25) and means for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (job post site expert system engine 86 of FIG. 3; Specification, page 11, line 5 – page 12, line 15). The means for automatically ranking the plurality of job post sites comprises means for accessing a fact table (fact tables 98, 102, and 104 of FIG. 3; Specification, page 12 lines 16 – 29) that contains data relevant to the at least one job post site selection criterion, and means for using an inference engine (inference engines 94 and 96 of FIG. 3; Specification, page 12, line 16 – page 13, line 2) to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion. The system further comprises means for selecting the job post site from the plurality of job post sites (job post site selection module 92 of FIG. 3; Specification, page 13, lines 12 – 21) based on the ranking of the plurality of job post sites. The processor 72 and memory 74 of FIG. 3 provide structure for the means for obtaining, means for automatically ranking, means for accessing, means for using, and means for selecting.

Independent Claim 35 is directed to a system for posting a job opening description, comprising means for obtaining at least one job post site selection criterion (job opening description parser 82 of FIG. 3; Specification, page 9, lines 17 – 25) and means for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (job post site expert system engine 86 of FIG. 3; Specification, page 11, line 5 – page 12, line 15). The means for automatically ranking the plurality of job post sites comprises means for accessing a fact table (fact tables 98, 102, and 104 of FIG. 3; Specification, page 12 lines 16 – 29) that contains data relevant to the at least one job post site selection criterion, and means for using an inference engine (inference engines 94 and 96 of FIG. 3; Specification, page 12, line 16 – page 13, line 2) to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion. The system further comprises means for selecting the job post site from the plurality of job post sites (job post site selection module 92 of FIG. 3; Specification, page 13, lines 12 – 21) based on the ranking of the plurality of job post sites, and means for posting (job post site posting module 88

of FIG. 3; Specification, page 13, lines 3 – 11) the job opening description to the selected at least one job post site. The processor 72 and memory 74 of FIG. 3 provide structure for the means for obtaining, means for automatically ranking, means for accessing, means for using, means for selecting, and means for posting.

Independent Claim 48 is directed to a computer program product for selecting a job post site, comprising a computer readable storage medium (memory 74 of FIG. 3) having computer readable program code embodied therein, the computer readable program code comprising computer readable program code for obtaining at least one job post site selection criterion (job opening description parser 82 of FIG. 3; Specification, page 9, lines 17 – 25) and computer readable program code for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (job post site expert system engine 86 of FIG. 3; Specification, page 11, line 5 – page 12, line 15). The computer readable program code for automatically ranking the plurality of job post sites comprises computer readable program code for accessing a fact table (fact tables 98, 102, and 104 of FIG. 3; Specification, page 12 lines 16 – 29) that contains data relevant to the at least one job post site selection criterion, and computer readable program code for using an inference engine (inference engines 94 and 96 of FIG. 3; Specification, page 12, line 16 – page 13, line 2) to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion. The system further comprises computer readable program code for selecting the job post site from the plurality of job post sites (job post site selection module 92 of FIG. 3; Specification, page 13, lines 12 – 21) based on the ranking of the plurality of job post sites.

Independent Claim 57 is directed to a computer program product for posting a job opening description, comprising a computer readable storage medium (memory 74 of FIG. 3) having computer readable program code embodied therein, the computer readable program code comprising computer readable program code for obtaining at least one job post site selection criterion (job opening description parser 82 of FIG. 3; Specification, page 9, lines 17 – 25) and computer readable program code for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion (job post site expert system engine 86 of FIG. 3; Specification, page 11, line 5 – page 12, line 15). The computer readable program code for

automatically ranking the plurality of job post sites comprises computer readable program code for accessing a fact table (fact tables 98, 102, and 104 of FIG. 3; Specification, page 12 lines 16 – 29) that contains data relevant to the at least one job post site selection criterion, and computer readable program code for using an inference engine (inference engines 94 and 96 of FIG. 3; Specification, page 12, line 16 – page 13, line 2) to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion. The system further comprises computer readable program code for selecting the job post site from the plurality of job post sites (job post site selection module 92 of FIG. 3; Specification, page 13, lines 12 – 21) based on the ranking of the plurality of job post sites, and computer readable program code for posting (job post site posting module 88 of FIG. 3; Specification, page 13, lines 3 – 11) the job opening description to the selected at least one job post site.

Ground of Rejection to be Reviewed on Appeal

Claims 1, 3 - 7, 10 – 14, 16 – 23, 25, 26, 28 – 32, 35 - 39, 41 – 48, 50 – 54, 57 - 61, and 63 - 67 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the document entitled "Webhire Links Corporate Recruiting Desktops to Over 2,000 Job Posting Sites," March 2, 2000 (hereinafter "Webhire") in view of the document entitled "Searching distributed collections with inference networks" 1995, by Callan et al. (hereinafter "Callan") and further in view of the document entitled "Artificial intelligence in accounting & business" September 1998, by Qureshi et al. (hereinafter "Qureshi").

Argument

I.   Introduction to 35 U.S.C. §103 Analysis

A determination under §103 that an invention would have been obvious to someone of ordinary skill in the art is a conclusion of law based on fact. *Panduit Corp. v. Dennison Mfg. Co.* 810 F.2d 1593, 1 U.S.P.Q.2d 1593 (Fed. Cir. 1987), *cert. denied*, 107 S.Ct. 2187. After the involved facts are determined, the decision maker must then make the legal determination of whether the claimed invention as a whole would have been obvious to a person having ordinary

skill in the art at the time the invention was unknown, and just before it was made. *Id.* at 1596. The United States Patent and Trademark Office (USPTO) has the initial burden under §103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

To establish a prima facie case of obviousness, the prior art reference or references when combined must teach or suggest *all* the recitations of the claims, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. M.P.E.P. §2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. M.P.E.P. §2143.01, citing *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). As emphasized by the Court of Appeals for the Federal Circuit, to support combining references, evidence of a suggestion, teaching, or motivation to combine must be **clear and particular**, and this requirement for clear and particular evidence is not met by broad and conclusory statements about the teachings of references. *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). In another decision, the Court of Appeals for the Federal Circuit has stated that, to support combining or modifying references, there must be **particular** evidence from the prior art as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000).

Appellants respectfully submit that the pending independent claims are patentable over the cited references for at least the reason that the cited references do not disclose or suggest, either alone or in combination, each of the recitations of the independent claims. The patentability of the pending claims is discussed in detail hereinafter.

A.   Claims 1, 10, 23, 26, 35, 48, and 57 are Patentable

Independent Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Webhire in view of Callan and further in view of Qureshi.

Independent Claim 1 is directed to a method of selecting a job post site and has been reproduced, in part, below:

obtaining at least one job post site selection criterion;

automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion; and

selecting the job post site from the plurality of job post sites based on the ranking of the plurality of job post sites.

Claims 10, 23, 26, 35, 48, and 57 include similar recitations. Thus, according to the recitations of the pending independent claims, a plurality of job post sites are automatically ranked based on at least one job post site selection criterion by accessing a fact table that contains data relevant to the at least one job post site selection criterion and by using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion.

The Final Office Action mailed August 9, 2006 (hereinafter "Final Office Action") acknowledges that Webhire does not teach or suggest the recitations directed to automatically ranking a plurality of job post sites, accessing a fact table, and using an inference engine. (Final Office Action, page 7). The Final Office Action does allege, however, that Callan provides the missing teachings and that Qureshi cites various benefits for using expert systems in a business environment. (Office Action, paged 7 and 8). Appellants respectfully submit, however, that neither Webhire nor Callan includes any motivation or suggestion to modify Webhire as indicated in the Final Office Action.

As affirmed by the Court of Appeals for the Federal Circuit in *In re Sang-su Lee*, a factual question of motivation is material to patentability, **and cannot be resolved on subjective belief and unknown authority**. *See In re Sang-su Lee*, 277 F.3d 1338 (Fed. Cir. 2002). It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher."

Appellants agree that Callan describes the use of an inference network to rank documents retrieved based on a search query. (Callan, paragraphs 14 - 29). Appellants further agree that Qureshi describes the use of expert systems in various business applications. (Qureshi, paragraphs 13 - 36). Appellants submit, however, that none of the cited references include any clear and particular evidence of why it would be desirable to use an inference engine for ranking job post sites. As acknowledged in the Final Office Action, "[t]he Examiner submits that there were various approaches to ranking search results by relevance at the time of Applicants's invention." (Final Office Action, page 2). The Final Office Action then asserts that it would be obvious to modify Webhire's disclosure with the teachings of Callan and Qureshi related to the use of expert systems. (Final Office Action, pages 2 and 3). But Applicants can find no disclosure in either Callan or Qureshi that suggest it may be desirable to use an expert system to address the problem of selecting a job post site from among a plurality of job post site candidates. Callan's disclosure is confined to the field of ranking documents. Qureshi discloses several business applications that may make use of an expert system including investment analysis, financial planning, financial statement analysis, credit evaluation and fraud detection, generation of marketing reports, inventory and equipment tracking, shipping route selection, etc. in paragraphs 13 - 36. Conspicuously absent, however, is any mention in Qureshi of the desirability of using an expert system to select a job post site from among a plurality of job post site candidates. As the Final Office Action states that there are various approaches to ranking the results of a search (Final Office Action, page 2), and the cited references contain no clear and particular evidence of why it would be desirable to use an expert system (as opposed to another technique) for the particular problem of selecting job post site from among a plurality of job post site candidates, it appears that the Final Office Action gains its alleged impetus or suggestion to combine the cited references by hindsight reasoning informed by Appellants' disclosure, which, as noted above, is an inappropriate basis for combining references.

For at least the foregoing reasons, Appellants submit independent Claims 1, 10, 23, 26, 35, 48, and 57 are patentable over the cited references and that dependent Claims 3 – 9, 11 – 14, 16 – 22, 25, 28 – 34, 36 – 39, 41 – 47, 50 – 56, 58 – 61, and 63 - 67 are patentable at least by virtue of their depending from an allowable claim. Accordingly, Appellants respectfully request that the rejection of/objection to Claims 1, 3 – 14, 16 – 23, 25, 26, 28 – 39, 41 – 48, 50 – 61, and

63 – 67 be reversed based on the failure of the Examiner to establish a prima facie case of obviousness under 35 U.S.C. §103 for at least these reasons.

II.   Conclusion

In summary, Appellants respectfully submit that, with respect to Claims 1, 3 – 14, 16 – 23, 25, 26, 28 – 39, 41 – 48, 50 – 61, and 63 – 67, the cited references do not teach all of the recitations of the claims for at least the reasons discussed above. Accordingly, Appellants respectfully request reversal of the rejection of/objection to Claims 1, 3 – 14, 16 – 23, 25, 26, 28 – 39, 41 – 48, 50 – 61, and 63 – 67 based on the cited references.

Respectfully submitted,

D. Scott Moore
Registration No. 42,011

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

APPENDIX A

1.   (previously presented) A method of selecting a job post site, comprising:

obtaining at least one job post site selection criterion;

automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion; and

selecting the job post site from the plurality of job post sites based on the ranking of the plurality of job post sites.

2.   (canceled)

3.   (original) A method as recited in Claim 1, wherein obtaining the at least one job post site selection criterion comprises:

obtaining a geographic location criterion;

obtaining a skill set criterion; and

obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates.

4.   (original) A method as recited in Claim 3, wherein automatically ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

5.   (original) A method as recited in Claim 4, wherein identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion, and ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate the geographic location and job post site performance ranked list of job post sites comprise:

accessing a geographic location fact table that contains data relevant to the geographic location criterion;

accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

using an inference engine to process the geographic location criterion and the geographic location fact table to identify the job post sites of the plurality of job post sites that satisfy the geographic location criterion; and

using the inference engine to process the identified job post sites that satisfy the geographic location criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion.

6.   (original) A method as recited in Claim 4, wherein identifying job post sites of the plurality of job post sites that satisfy the skill set criterion, and ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate the skill set and job post site performance ranked list of job post sites comprise:

accessing a skill set fact table that contains data relevant to the skill set criterion;

accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

using an inference engine to process the skill set criterion and the skill set fact table to identify the job post sites of the plurality of job post sites that satisfy the skill set criterion; and

using the inference engine to process the identified job post sites that satisfy the skill set criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion.

7. (original) A method as recited in Claim 4, further comprising:

combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

8. (original) A method as recited in Claim 7, wherein combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites, a weighted average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

using the computed weighted averages to generate the geographic location, skill set, and job post site performance ranked list.

9. (original) A method as recited in Claim 7, wherein combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked

list of job post sites, an average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

using the computed averages to generate the geographic location, skill set, and job post site performance ranked list.

10. (previously presented) A method of posting a job opening description, comprising:

obtaining at least one job post site selection criterion;

automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

using an inference engine to process the at least one job post site selection criterion and the first fact table to rank the plurality of job post sites based on the at least one job post site selection criterion;

selecting at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites; and

posting the job opening description to the selected at least one job post site.

11. (original) A method as recited in Claim 10, wherein the job opening description comprises an extensible markup language (XML) data stream.

12. (original) A method as recited in Claim 10, wherein selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

displaying the ranked plurality of job post sites to an end user; and

obtaining user input to select the at least one job post site from the ranked plurality of job post sites from the end user.

13. (original) A method as recited in Claim 10, wherein selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites independent of user input.

14. (original) A method as recited in Claim 10, wherein posting the job opening description to the selected at least one job post site comprises:

converting the job opening description into a format compatible with the selected at least one job post site; and

sending the converted job opening description to the at least one job post site.

15. (canceled)

16. (original) A method as recited in Claim 10, further comprising:

obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates; and

wherein the at least one job post site selection criterion comprises:

a geographic location criterion; and

a skill set criterion.

17. (original) A method as recited in Claim 16, wherein ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

automatically ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

automatically ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

18.   (original) A method as recited in Claim 17, further comprising:

automatically ranking the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

19.   (original) A method as recited in Claim 18, wherein selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

selecting the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

20.   (original) A method as recited in Claim 19, wherein posting the job opening description to the selected at least one job post site comprises:

converting the job opening description into a respective format compatible with a respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites; and

sending the respective converted job opening description to the respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

21.   (original) A method as recited in Claim 18, wherein selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

displaying the geographic location, skill set, and job post site performance ranked list of job post sites to an end user; and

obtaining user input to select the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites from the end user.

22.   (original) A method as recited in Claim 21, wherein posting the job opening description to the selected at least one job post site comprises:

converting the job opening description into a format compatible with the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites obtained from the end user; and

sending the converted job opening description to the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites obtained from the end user.

23.   (previously presented) A system for posting a job opening description, comprising:

a job opening description parser module that is configured to parse the job opening description to obtain at least one job post site selection criterion;

a job post site expert system engine module that is configured to rank a plurality of job post sites based on the at least one job post site selection criterion, comprising:

a fact table that contains data relevant to the at least one job post site selection criterion; and

an inference engine that is configured to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion;

a job post site selection module that is configured to select at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites; and

a job post site posting module that is configured to post the job opening description to the selected at least one job post site.

24.   (canceled)

25.   (original) A system as recited in Claim 23, wherein the job post site posting module comprises:

a site format module that is configured to convert the job opening description into a format compatible with the selected at least one job post site; and

a transport module that is configured to send the converted job opening description to the at least one job post site.

26.   (previously presented) A system for selecting a job post site, comprising:

means for obtaining at least one job post site selection criterion;

means for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

means for accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

means for using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion; and

means for selecting the job post site from the plurality of job post sites based on the ranking of the plurality of job post sites.

27.   (canceled)

28.   (original) A system as recited in Claim 26, wherein the means for obtaining the at least one job post site selection criterion comprises:

means for obtaining a geographic location criterion;

means for obtaining a skill set criterion; and

means for obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates.

29.   (original) A system as recited in Claim 28, wherein the means for automatically ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

means for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

means for ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

means for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

means for ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

30.   (original) A system as recited in Claim 29, wherein the means for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion, and the means for ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate the geographic location and job post site performance ranked list of job post sites comprise:

means for accessing a geographic location fact table that contains data relevant to the geographic location criterion;

means for accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

means for using an inference engine to process the geographic location criterion and the geographic location fact table to identify the job post sites of the plurality of job post sites that satisfy the geographic location criterion; and

means for using the inference engine to process the identified job post sites that satisfy the geographic location criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion.

31.   (original) A system as recited in Claim 29, wherein the means for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion, and the means for ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate the skill set and job post site performance ranked list of job post sites comprise:

means for accessing a skill set fact table that contains data relevant to the skill set criterion;

means for accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

means for using an inference engine to process the skill set criterion and the skill set fact table to identify the job post sites of the plurality of job post sites that satisfy the skill set criterion; and

means for using the inference engine to process the identified job post sites that satisfy the skill set criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion.

32.   (original) A system as recited in Claim 29, further comprising:

means for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

33.   (original) A system as recited in Claim 32, wherein the means for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

means for computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance

ranked list of job post sites, a weighted average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

means for using the computed weighted averages to generate the geographic location, skill set, and job post site performance ranked list.

34.   (original) A system as recited in Claim 32, wherein the means for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

means for computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites, an average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

means for using the computed averages to generate the geographic location, skill set, and job post site performance ranked list.

35.   (previously presented) A system for posting a job opening description, comprising:

means for obtaining at least one job post site selection criterion;

means for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

means for accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

means for using an inference engine to process the at least one job post site selection criterion and the first fact table to rank the plurality of job post sites based on the at least one job post site selection criterion;

means for selecting at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites; and

means for posting the job opening description to the selected at least one job post site.

36.   (original) A system as recited in Claim 35, wherein the job opening description comprises an extensible markup language (XML) data stream.

37.   (original) A system as recited in Claim 35, wherein the means for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

means for displaying the ranked plurality of job post sites to an end user; and

means for obtaining user input to select the at least one job post site from the ranked plurality of job post sites from the end user.

38.   (original) A system as recited in Claim 35, wherein the means for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

means for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites independent of user input.

39.   (original) A system as recited in Claim 35, wherein the means for posting the job opening description to the selected at least one job post site comprises:

means for converting the job opening description into a format compatible with the selected at least one job post site; and

means for sending the converted job opening description to the at least one job post site.

40.   (canceled)

41.   (original) A system as recited in Claim 35, further comprising:

means for obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates; and

wherein the at least one job post site selection criterion comprises:

a geographic location criterion; and

a skill set criterion.

42.   (original) A system as recited in Claim 41, wherein the means for ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

means for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

means for automatically ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

means for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

means for automatically ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

43.   (original) A system as recited in Claim 42, further comprising:

means for automatically ranking the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

44.   (original) A system as recited in Claim 43, wherein the means for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

means for selecting the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

45.   (original) A system as recited in Claim 44, wherein the means for posting the job opening description to the selected at least one job post site comprises:

means for converting the job opening description into a respective format compatible with a respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites; and

means for sending the respective converted job opening description to the respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

46.   (original) A system as recited in Claim 43, wherein the means for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

means for displaying the geographic location, skill set, and job post site performance ranked list of job post sites to an end user; and

means for obtaining user input to select the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites from the end user.

47.   (original) A system as recited in Claim 46, wherein the means for posting the job opening description to the selected at least one job post site comprises:

means for converting the job opening description into a format compatible with the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites obtained from the end user; and

means for sending the converted job opening description to the at least one job post site from the geographic location, skill set, and job post site performance ranked list of job post sites obtained from the end user.

48.   (previously presented) A computer program product for selecting a job post site, comprising:

a computer readable storage medium having computer readable program code embodied therein, the computer readable program code comprising:

computer readable program code for obtaining at least one job post site selection criterion;

computer readable program code for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

computer readable program code for accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

computer readable program code for using an inference engine to process the at least one job post site selection criterion and the fact table to rank the plurality of job post sites based on the at least one job post site selection criterion; and

computer readable program code for selecting the job post site from the plurality of job post sites based on the ranking of the plurality of job post sites.

49.   (canceled)

50.   (original) A computer program product as recited in Claim 48, wherein the computer readable program code for obtaining the at least one job post site selection criterion comprises:

computer readable program code for obtaining a geographic location criterion;

computer readable program code for obtaining a skill set criterion; and

computer readable program code for obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates.

51.   (original) A computer program product as recited in Claim 50, wherein the computer readable program code for automatically ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

computer readable program code for ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

computer readable program code for ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

52.   (original) A computer program product as recited in Claim 51, wherein the computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion, and the computer readable program code for ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate the geographic location and job post site performance ranked list of job post sites comprise:

computer readable program code for accessing a geographic location fact table that contains data relevant to the geographic location criterion;

computer readable program code for accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

computer readable program code for using an inference engine to process the geographic location criterion and the geographic location fact table to identify the job post sites of the plurality of job post sites that satisfy the geographic location criterion; and

computer readable program code for using the inference engine to process the identified job post sites that satisfy the geographic location criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion.

53.   (original) A computer program product as recited in Claim 51, wherein the computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion, and the computer readable program code for ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate the skill set and job post site performance ranked list of job post sites comprise:

computer readable program code for accessing a skill set fact table that contains data relevant to the skill set criterion;

computer readable program code for accessing a job post site performance fact table that contains data relevant to the job post site performance criterion;

computer readable program code for using an inference engine to process the skill set criterion and the skill set fact table to identify the job post sites of the plurality of job post sites that satisfy the skill set criterion; and

computer readable program code for using the inference engine to process the identified job post sites that satisfy the skill set criterion, the job post site performance criterion, and the job post site performance fact table to rank the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion.

54.   (original) A computer program product as recited in Claim 51, further comprising:

computer readable program code for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

55.   (original) A computer program product as recited in Claim 54, wherein the computer readable program code for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

computer readable program code for computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites, a weighted average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

computer readable program code for using the computed weighted averages to generate the geographic location, skill set, and job post site performance ranked list.

56.   (original) A computer program product as recited in Claim 54, wherein the computer readable program code for combining the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate the geographic location, skill set, and job post site performance ranked list of job post sites comprises:

computer readable program code for computing, for each respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites, an average using ranks assigned to the respective job post site in the geographic location and job post site performance ranked list of job post sites and the skill set and job post site performance ranked list of job post sites; and

computer readable program code for using the computed averages to generate the geographic location, skill set, and job post site performance ranked list.

57.   (previously presented) A computer program product for posting a job opening description, comprising:

a computer readable storage medium having computer readable program code embodied therein, the computer readable program code comprising:

computer readable program code for obtaining at least one job post site selection criterion;

computer readable program code for automatically ranking a plurality of job post sites based on the at least one job post site selection criterion, comprising:

computer readable program code for accessing a fact table that contains data relevant to the at least one job post site selection criterion; and

computer readable program code for using an inference engine to process the at least one job post site selection criterion and the first fact table to rank the plurality of job post sites based on the at least one job post site selection criterion;

computer readable program code for selecting at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites; and

computer readable program code for posting the job opening description to the selected at least one job post site.

58.   (original) A computer program product as recited in Claim 57, wherein the job opening description comprises an extensible markup language (XML) data stream.

59.   (original) A computer program product as recited in Claim 57, wherein the computer readable program code for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

computer readable program code for displaying the ranked plurality of job post sites to an end user; and

computer readable program code for obtaining user input to select the at least one job post site from the ranked plurality of job post sites from the end user.

60.   (original) A computer program product as recited in Claim 57, wherein the computer readable program code for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

computer readable program code for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites independent of user input.

61.   (original) A computer program product as recited in Claim 57, wherein the computer readable program code for posting the job opening description to the selected at least one job post site comprises:

computer readable program code for converting the job opening description into a format compatible with the selected at least one job post site; and

computer readable program code for sending the converted job opening description to the at least one job post site.

62.   (canceled)

63.   (original) A computer program product as recited in Claim 57, further comprising:

computer readable program code for obtaining a job post site performance criterion that is indicative of a value of a job post site in acting as a source for candidates; and

wherein the at least one job post site selection criterion comprises:

a geographic location criterion; and

a skill set criterion.

64.   (original) A computer program product as recited in Claim 63, wherein the computer readable program code for ranking the plurality of job post sites based on the at least one job post site selection criterion comprises:

computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the geographic location criterion;

computer readable program code for automatically ranking the identified job post sites that satisfy the geographic location criterion based on the job post site performance criterion to generate a geographic location and job post site performance ranked list of job post sites;

computer readable program code for identifying job post sites of the plurality of job post sites that satisfy the skill set criterion; and

computer readable program code for automatically ranking the identified job post sites that satisfy the skill set criterion based on the job post site performance criterion to generate a skill set and job post site performance ranked list of job post sites.

65.   (original) A computer program product as recited in Claim 64, further comprising:

computer readable program code for automatically ranking the geographic location and job post site performance ranked list of job post sites with the skill set and job post site performance ranked list of job post sites to generate a geographic location, skill set, and job post site performance ranked list of job post sites.

66.   (original) A computer program product as recited in Claim 65, wherein the computer readable program code for selecting the at least one job post site from the plurality of job post sites based on the ranking of the plurality of job post sites comprises:

computer readable program code for selecting the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

67.   (original) A computer program product as recited in Claim 66, wherein the computer readable program code for posting the job opening description to the selected at least one job post site comprises:

computer readable program code for converting the job opening description into a respective format compatible with a respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites; and

computer readable program code for sending the respective converted job opening description to the respective one of the job post sites in the geographic location, skill set, and job post site performance ranked list of job post sites.

APPENDIX B – EVIDENCE APPENDIX

None

APPENDIX C – RELATED PROCEEDINGS APPENDIX

None.